

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services- O/o Chief Commissioner of Land Administration A.P. Hyderabad - Sri T.V.Hanuman Singh, Superintendent Grade.I – Placement in the last rank among the approved probationers in the cadre of Typist as per the orders of Hon'ble APAT in O.A. No 178/2000, dated 22.6.2004 – Revision of seniority of the applicant in the cadre of Senior Assistant and Superintendent - Orders – issued .

REVENUE (SER.II) DEPARTMENT

G.O.Ms.No. 99

Dated:7.02.2011

Read the following:-

1. The Hon'ble APAT, Hyderabad orders dt. 22.6.2004 in OA No. 17.8.2000,
2. From the Chief Commissioner of Land Administration A.P. Hyderabad Ref. No E3/251/2008, dt: 14.12.2009.
3. Govt. Memo.No.55690/Ser.II.2/2010, Rev (Ser.II) Dept., dt.18.6.2010.
4. From the CCLA's Ref.No.E3/175/2009, dt. 6.7.2010.
5. From the CCLA's Ref.No.E3/251/2009, dt. 7.10.2010.

&&&

ORDER:

In the reference 2nd read above the Special Chief Secretary & Chief Commissioner of Land Administration, A.P. Hyderabad has reported that, among others, the Hon'ble APAT in their orders 1st read above, directed the respondents to place Sri T.V.Hanuman Singh below the last person in the list of approved probationers as per the earlier orders issued vide CLR's Ref. No. E1/1515/78, dated:21.1.1980 and basing on that further promotion should be given to the applicant. The judgment of Hon'ble APAT was challenged in WP No. 13679/2004 by un-official respondents and the same was dismissed on 24.11..2004 and another W.P. No. 4176/2005 filed by CCLA was also dismissed on 15.3.2005 observing that there are no grounds to interfere with the order of A.P.A.T.

2. As such, in compliance of the orders, of the APAT in OA No. 179/2000, dated 22.6.2004. orders were issued vide CCLA Ref. No.E1/623/2004 dated: 7.7.2005 placing Sri T.V. Hanuman Singh below the last approved probationer in the cadre of Typist i.e. Smt. Ch. Kamala.

3. Aggrieved by the above orders, Sri T.V. Hanuman Singh has filed contempt case in CC No 1325 /2007 in W. P. No, 4176 /2005 in the Hon'ble High Court for violation of the orders of the Hon'ble High Court in W.P. No. 4176/2005 dated:15.3.2005 that he should be placed below the name of Smt. K. Rajya Lakshmi as she was the last approved probationer in the cadre of Typist at the time of his joining in Chief Commissioner of Land Administration office. The Hon'ble High Court, in their orders dated: 22.7.2009, held that the respondent cannot be condemned for committing contempt while the petitioner is at liberty to pursue all his remedies in accordance with law against the proceedings of the CCLA No. E1/ 623 / 2004, dated: 7.7.2005 and closed the contempt case.

4. In view of the above, the Chief Commissioner of Land Administration A.P. Hyderabad has examined the matter further and observed that Sri.T.V.Hanuman Singh was promoted to the cadre of Senior Assistant on 22.12.1983 as per his original seniority whereas Smt. Ch. Kamala, his immediate senior and Sri T.B.G.Alexander, his immediate junior, could not be promoted until 2.9.1985 as they were not qualified. Sri T.Swaminadhan, who is junior in the lower cadre to Sri T.V.Hanuman Singh was promoted on 19.9.1983 on par with Kum. M.Nirmala Devi who was promoted on 19.9.1983. Hence , Sri T.V.Hanuman Singh is eligible for notional promotion on par with his junior, Sri R. Swaminathan w.e.f. 19.9.1983 in the cadre of Senior Assistant and requested to fix his seniority at Sl.No.66 /A i.e. below the name of Kum. M.Nirmala Devi (Sl.No.66) and above the name of Sri.R.Swaminathan (Sl.No.67) in the list Published vide CLR's Ref . No. E3/130/81, dated 10.11.1994. Sri T.V. Hanuman Singh has qualified for promotion as on the date.

5. The Chief Commissioner of Land Administration A.P. Hyderabad has also reported that, with regard to the promotion to the next cadre of Superintendent, according to the revised seniority, Sri Gulam Manzoor Ahmed in the seniority list of Senior Assistants, who is junior to the applicant Sri T.V.Hanuman Singh, was promoted to the cadre of Superintendent on 10.9.1998 where as Sri T.V.Hanuman Singh was promoted to the cadre of Superintendent on 17.5.2000 as per his earlier

P.T.O

::2::

seniority list. Therefore, the applicant Sri T.V. Hanuman Singh is eligible for notional promotion in the cadre of Superintendents w.e.f. 10.9.1998 on par with his junior Sri Gulam Manzoor Ahmed and requested to fix his seniority in that cadre below the name of Kum. M.Nirmala Devi and above the name of Sri Gulam Manzoor Ahmed as the individual qualified for promotion to the Superintendent cadre as on that date.

6. Therefore, the Chief Commissioner of Land Administration A.P. Hyderabad, has requested the Government to relax General Rule 33 (a) of A.P & SS Rules in favour of Sri T.V.Hanuman Singh, Superintendent Grade.I (Retd) for fixing his seniority notionally in the cadre of Senior Assistant with effect from 19.9.1983 and in the cadre of Superintendent with effect from 10.9.1998, in order to implement the orders of the Hon'ble Tribunal in O.A. No.178/2000, dated:22.6.2004.

7. In the reference 3rd read above, the Chief Commissioner of Land Administration A.P. Hyderabad has been requested to issue show cause notices to the persons likely to be affected in terms of Rule 24 of APS & SS Rules 1996 and furnish his report in the matter.

8. In the reference 5th read above the Chief Commissioner of Land Administration A.P. Hyderabad has reported that, show cause notices were issued vide reference 4th read above, to the persons likely to be affected calling for objections, if any. The notice issued to Sri B. Samson Senior Assistant (Retd.) was returned un served as the address of the individual are not known but the notices in respect of others have been served. No body has filed any objection on the proposed revision and hence the Chief Commissioner of Land Administration A.P. Hyderabad has requested to relax General Rule 33 (a) of A.P & SS Rules in favour of Sri T.V.Hanuman Singh, Superintendent Grade.I (Retd) for fixing his seniority notionally in the cadre of Senior Assistant with effect from 19.9.1983 and in the cadre of Superintendent with effect from 10.9.1998, in order to implement the orders of the Hon'ble Tribunal in O.A. No.178/2000, dated:22.6.2004.

9. Government, after careful examination of the proposal of the Chief Commissioner of Land Administration A.P. Hyderabad, hereby decide to relax General Rule 33 (a) of A.P. State and Subordinate Service Rules 1996, in favour of Sri T.V. Hanuman Singh, Superintendent Grade.I (Retd.) for fixation of his seniority notionally in the cadre of Senior Asst. with effect from 19.9.1983 and in the cadre of Superintendent with effect from 10.9.1998

10. Accordingly, in exercise of the powers conferred under Rule 31 of the A.P. State and Subordinate Service Rules, 1996, the Government hereby relax General Rule 33(a) of the A.P. State and Subordinate Service Rules, 1996, in favour of Sri T.V. Hanuman Singh, so as to regularize his services and assign him the notional date of promotion with effect from 19.9.1983 and fix his seniority in the cadre of Senior Assistant on par with his juniors Sri R.Swaminathan i.e. below the name of Kum. M.Nirmala Devi and above the name of Sri.R.Swaminathan in the list Published vide CLR's Ref . No. E3 / 130 /81, dated 10.11.1994 and also effect notional promotion in the category of Superintendent with effect from 10.9.98 and fix his seniority in the cadre of Superintendent on par with his Junior Sri Gulam Manzoor Ahmed i.e. place him below the name of Kum. M.Nirmala Devi and above the name of Sri Gulam Manzoor Ahmed.

11. The Chief Commissioner of Land Administration A.P. Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P. Hyderabad,
Copy to:
The individual through CCLA., A.P., Hyderabad.
The Pay & Accounts Officer, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER